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Attorneys for Defendant
SUN CITY LINCOLN HILLS COMMUNITY ASSOCIATION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOANNE MITCHELL and DONNA
SZABADOS,

Plaintiffs,

v.

SUN CITY LINCOLN HILLS
COMMUNITY ASSOCIATION,

Defendant.

CASE NO. 2:20-cv000139-JAM-KJ

Civil Rights

**STIPULATION AND ORDER
EXTENDING EXPERT DISCLOSURE
DEADLINES**

The parties to the instant matter, by and through their respective counsel of record, hereby stipulate and agree as follows:

1. This matter was filed on January 20, 2020. (Docket 1)
2. Defendant's Answer was filed on February 14, 2020. (Docket 5)
3. The entire State of California (and indeed most of the country) began "shutting down" a

1 month later due to the outbreak of COVID-19. The restrictions imposed by state and local officials have
2 greatly hampered efforts to conduct discovery in this matter. Further, many of the individuals involved
3 are elderly or have other higher risk factors for serious illness from contracting COVID-19.

4 4. With this reality, the parties agreed in January 2021 to pursue a possible settlement and
5 were referred by the Court for a settlement conference with the Honorable Magistrate Judge Carolyn K.
6 Delaney on March 23, 2021. The parties were not able to settle on March 23, 2021, as various non-
7 monetary issues required further negotiation and review. As such, the parties adjourned the settlement
8 conference until May 4, 2021. On May 4, 2021, the parties reconvened the settlement conference and
9 made considerable progress towards reaching a resolution. Judge Delaney has ordered the parties to
10 further meet and confer regarding settlement and to have a further status conference with Judge Delaney
11 on June 9, 2021.

12 5. In consideration of the progress made towards settlement, the parties would like a short period
13 of time in which to continue negotiating without the expenses preparing to disclose experts. Expert
14 disclosure will increase costs and fees on both sides and the parties would prefer to put that effort and
15 expense toward settlement.

16 6. This court has currently set this matter for trial on January 21, 2022 with a pretrial
17 deadline for initial disclosure of experts on May 28, 2021 and a deadline of June 11, 2021 for
18 supplemental expert disclosure. The parties do not ask for and do not anticipate a change in trial date.
19 However, the Court's scheduling order requires that experts be prepared to testify when disclosed. In
20 light of the state and status of discovery, and with no party depositions having yet taken place, the
21 Defense feels that the experts cannot be prepared to testify by May 28, 2021 and has requested that
22 Plaintiffs agree to an extension of initial expert disclosures to July 28, 2021. Plaintiffs have agreed to an
23 extension through June 28, 2021 with supplemental expert disclosure to take place on or before July 12,
24 2021. Therefore, the parties jointly make that request to the court.

25 Date: May 7, 2021

DERBY, McGUINNESS & GOLDSMITH, LLP

26 /s/ Steven L. Derby
27 By Steven L. Derby, Esq.
28 Attorneys for Plaintiffs
JOANNE MITCHEL and DONNA SZABADOS

1 Dated: May 7, 2021

MURPHY, PEARSON, BRADLEY & FEENEY

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4 /s/ Thomas S. Wahl

By Thomas S. Wahl

Attorneys for Defendant

5 SUN CITY LINCOLN HILLS COMMUNITY
6 ASSOCIATION

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8 FILER'S ATTESTATION

9 Pursuant to the Local Rules, I hereby attest that on May 7, 2021, I, Thomas S. Wahl, attorney
10 with Murphy, Pearson, Bradley, Feeney, received the concurrence of all counsel in the filing of this
11 document.

12 /s/ Thomas S. Wahl

Thomas S. Wahl

13 MURPHY, PEARSON, BRADLEY & FEENEY
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ORDER EXTENDING EXPERT DISCLOSURE DATES

Upon stipulation of the parties and good cause appearing, it is hereby ORDERED as follows;

The Stipulation and Order issued in this matter on January 4, 2021 (Docket 15) is amended as follows:

Expert Disclosure Deadline: June 28, 2021;

Supplemental Expert Disclosure: July 12, 2021

DATED: May 27, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

UNITED STATES DISTRICT COURT JUDGE